

FORM PTO-1390 (Modified)  
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES**  
**DESIGNATED/ELECTED OFFICE (DO/EO/US)**  
**CONCERNING A FILING UNDER 35 U.S.C. § 371**

235.00300101

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR  
**10/019,643**

INTERNATIONAL APPLICATION NO.  
**PCT/US00/18249**

INTERNATIONAL FILING DATE  
**30/06/2000 (30 June 2000)**

PRIORITY DATE CLAIMED  
**01/07/1999 (01 July 1999)**

## TITLE OF INVENTION

**METHOD AND COMPOSITION FOR AFFECTING REPRODUCTIVE SYSTEMS**

APPLICANT(S) FOR DO/EO/US  
**FAYRER-HOSKEN et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). (2 Declarations, 4 pgs. each)
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (2 Assignments, 2 pgs. each)
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

**Itemized return-stamped postcard; Response to Notification of Missing Requirements Under 35 U.S.C. § 371 (2 pgs.); copy of Notification of Missing Requirements Under 35 U.S.C. § 371 in the U.S. Designated/Elected Office (DO/EO/US) (1 pg.); Assignment Recordation Coversheet (1 pg.); check in the amount of \$40.00 for recording fee; Supplemental Application Data Sheet (4 pgs.); Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney (1 pg.); and Transmittal Letter (1pg.)**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492 (a) (1) - (5)) : <b>10/019,643</b>	INTERNATIONAL APPLICATION NO. <b>PCT/US00/18249</b>	ATTORNEY'S DOCKET NUMBER <b>235.00300101</b>
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24. The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :**

- |  |                  |
|--|------------------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... | <b>\$1040.00</b> |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....   | <b>\$890.00</b>  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....  | <b>\$740.00</b>  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....   | <b>\$710.00</b>  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....   | <b>\$100.00</b>  |

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$18.00		<b>\$0.00</b>
Independent claims	- 3 =	0	x \$84.00		<b>\$0.00</b>

Multiple Dependent Claims (check if applicable). ☐

**TOTAL OF ABOVE CALCULATIONS =**

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL =**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

**TOTAL NATIONAL FEE =**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☒

**TOTAL FEES ENCLOSED =**

<b>Amount to be:</b>	\$
<b>refunded</b>	
<b>charged</b>	\$

- a. ☒ A check in the amount of **\$40.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **13-4895**. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**Victoria A. Sandberg**  
**Muetting, Raasch & Gebhardt, P.A.**  
**P.O. Box 581415**  
**Minneapolis, Minnesota 55458-1415**  
**United States of America**

SIGNATURE

**Victoria A. Sandberg**

NAME

**41,287**

REGISTRATION NUMBER

**20 March 2002**

DATE

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Fayrer-Hosken et al.

Group Art Unit: Unknown

Serial No.: 10/019,643

Examiner: Unknown

Filed: December 28, 2001  
(Int'l Filing Date: June 30, 2000)

Docket No.: 235.00300101

Title: METHOD AND COMPOSITION FOR AFFECTING REPRODUCTIVE SYSTEMS

Assistant Commissioner for Patents

Attn: Box PCT

Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

☒ **Small entity status is entitled to be asserted in the above-identified application.**

☒ An itemized return postcard.

☐ An Information Disclosure Statement (\_\_\_ pgs), copies of \_\_\_ applications; 1449 forms (\_\_\_ pgs); and copies of \_\_\_ documents cited on the 1449 forms.

☒ A check in the amount of \$ 40.00, representing recording fee.

☒ Other: Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2 pgs.); Two executed Declarations (4 pgs. each); Two executed Assignment documents (2 pgs. each); Assignment Recordation Form Coversheet (1pg.); Response to Notification of Missing Requirements Under 35 U.S.C. §371 (2 pgs.); copy of Notification of Missing Requirements Under 35 U.S.C. §371 in the U.S. Designated/Elected Office (DO/EO/US) (1 pg.); Supplemental Application Data Sheet (4 pgs.); Election Under 37 C.F.R. §§3.71 and 3.73 and Power of Attorney (1 pg.); and copies of two executed Assignment documents (2 pgs. each).

Amendment ☐ No Additional fee is required. ☐ The fee has been calculated as shown:

Fee Calculation for Claims Pending After Amendment					
	Pending Claims after Amendment (1)	Claims Paid for Earlier (2)	Number of Additional Claims (1-2)	Cost per Additional Claim	Additional Fees Required
Total Claims				x \$9 =	
Independent Claims				x \$42 =	
One or More New Multiple Dependent Claims Presented? If Yes, Add \$140 Here →					
Total Additional Claim Fees Required					

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813



26813

PATENT TRADEMARK OFFICE

By: Victoria A. Sandberg

Name: Victoria A. Sandberg

Reg. No.: 41,287

Direct Dial: 612-305-1226

Facsimile: 612-305-1228

## CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EL888273286US Date of Deposit: March 20, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231.

By: Gara L. Ladwig

Name: Gara L. Ladwig

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Fayrer-Hosken et al.	)	Group Art No.:	Unknown
		)		
Serial No.:	10/019,643	)	Examiner:	Unknown
		)		
Filed:	December 28, 2001	)		
(Int'l Filing Date: June 30, 2000)		)		
		)		
For:	METHOD AND COMPOSITION FOR AFFECTING REPRODUCTIVE SYSTEMS			

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**RESPONSE TO NOTIFICATION OF MISSING PARTS UNDER 37 U.S.C. §371**

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US), enclosed are the Declarations of the inventors of the above-identified application. The documents required under 35 U.S.C. §371(c) have now been filed in the above-identified application. Accordingly, pursuant to 37 C.F.R. §1.491, Applicants respectfully submit that the requirements for acceptance under 35 U.S.C. §371 have been met.

As required under 37 C.F.R. §1.492(e), the surcharge of \$65.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date was included at the time of filing the present application. However, in the event a fee is due, please charge any fee or credit any overpayment to Account No. 13-4895.

**Response to Notification of Missing Requirements Under 35 U.S.C. §371**

**Page 2**

Applicants : Fayrer-Hosken, et al.

Serial No. 10/019,643

Filed: December 28, 2002

Attorney Docket No.: 235.0030 0101

Title: METHOD AND COMPOSITION FOR AFFECTING REPRODUCTIVE SYSTEMS

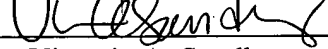
The Examiner is invited to contact Applicants' Representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

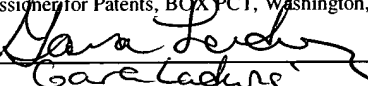
Respectfully submitted,

FAYRER-HOSKEN, ET AL.

By,  
Mueting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
Phone: (612) 305-1220  
Facsimile: (612) 305-1228  
**Customer Number 26813**

March 20, 2002  
Date

By:   
Victoria A. Sandberg  
Reg. No. 41,287  
Direct Dial (612) 305-1226

Date of Deposit: <u>March 20</u> , 2002	
Express Mail label number: <u>EL 888273286US</u>	
I hereby certify that this paper and/or fee is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, BOX PCT, Washington, D.C. 20231."	
<u></u>	
Name: <u>Gary Leach</u>	



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/019,643	FIRST NAMED APPLICANT Richard Fayrer-Hosken	ATTY. DOCKET NO. 235.00300101
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INTERNATIONAL APPLICATION NO. PCT/US00/18249
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I.A. FILING DATE 06/30/2000	PRIORITY DATE
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Victoria A Sandberg  
Mueting Raasch & Gebhardt  
P O Box 581415  
Minneapolis, MN 55458-1415

*D 5/1/02 MP Due*  
*9/1/02 MP Final*  
*Jue*

CONFIRMATION NO. 1109  
371 FORMALITIES LETTER  
  
\*OC000000007558359\*

Date Mailed: 03/01/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

**RECEIVED**

MAR 11 2002

MUETING & RAASCH